

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GRAYTZ MORRISON,
Plaintiff

v.

UNITED STATES OF AMERICA, et al.,
Defendants

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No. 1:20-cv-01571

(Judge Kane)

ORDER

AND NOW, on this 15th day of September 2021, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. The United States' motion to dismiss and/or for summary judgment (Doc. No. 37) is **GRANTED**, and Plaintiff's FTCA claims are **DISMISSED WITH PREJUDICE** for Plaintiff's failure to file a certificate of merit pursuant to Rule 1042.3 of the Pennsylvania Rules of Civil Procedure; and
2. The above-captioned action will proceed only as to Plaintiff's Eighth Amendment claims against Defendants Anderson, Hofford, and Miller.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania